AFFIDAVIT

Delivered to:
SAPS Muizenberg;
SAPS Fish Hoek;
Family Advocate (CT);
BADISA

SOUTH AFRICAN POLICE SERVICE

I, Nicole Dreyer, ID no: 710825 0046 08 7, Age 49, Sex F, Residing at 24 Woodgate Road, Plumstead, Cell: 081 479 7224, Employed at: Self Employed

STATES UNDER OATH / COMFIRMS IN ENGLISH THAT

1) I sent a Motion to Oppose for an application to Civil Court by Mark Timothy Holgate (ID: 710119 5070 080) in July 2020 that contained an Affidavit by Mark Timothy Holgate.

2) Mark Timothy Holgate has lied in his Affidavit contained in his Motion of Notion and in his Responding Affidavit to my Responding Affidavit and I would like to lay a charge of perjury.

3) I alerted his legal represenation on the case, Cattow Neethling and WIID, of the perjury on both Affidavits but they did not respond and continued with the Civil Court Application of fraud despite the fact that they admitted they could see that I had not committed fraud in an email.

4) I alerted the Magistrate presiding over the Civil Court Case in Wynberg Regional Court J, of the perjury on both Affidavits but she did not respond and continued with the court appearance after she informed me that she could not address the perjury in her court.

5) I would like to put an end to the ongoing dishonesty of Mark Timothy Holgate as he has made 4 false allegations now that have destroyed my family, reputation and business and have traumatized our child. Mark Holgate has continued to lie repeatedly in court processes and investigations to avoid

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accountability and the truth being exposed.

6) I believe that Mark Timothy Holgate has lied to police officers and used his brother, Andrew Holgate's, contacts at SAPS to assist him in breaking legal agreements and to further harass and threaten me, my life-partner and my son. I believe that Mark Holgate lied to the police officers who threatened me with arrest even though I was NOT guilty of any criminal acts to encourage them to assist him.

SAPS broken protocol and threats:

i) Threat of arrest by Captain Fourie of Wynberg Police Station if I did not "hand over" my son even though I was not in contravention of the legal parenting plan and refusal to read the parenting plan or listen to me.

ii) Threat of arrest by Colonel Laubuschagne from Mark Holgate's private cellphone number if I went to my local police station to try and get my son returned home to me as I would be "breaking lockdown regulations."

iii) Refusal of police officers to take action when Mark Holgate broke legal COVID Lockdown regulations within 4 days of Government putting total lockdown in place. Mark lied and said that he had not broken lockdown. The police officers that I informed did not follow up. My mom and I are high risk for COVID mortality.

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iv) Refusal of Captain Golding of Wynberg FCS to do collateral investigation on a false allegation by Mark Holgate of child molestation against my life-partner. Capt Golding was simply going to "drop the case as no trauma was evident". Capt Goloding ignored my reuqest for assitance with domestic violence / psychological and emotional abuse.

v) "Disappearance" of criminal case from Fish Hoek SAPS against Mark Holgate for breaking the legal parenting plan and taking my son without warning and driving him out of Cape Town (recently contacted by Const Mazingi after Civil Court Affidavit sent to superior at Fish Hoek SAPS – 1,5 years after case was opened).

vi) Three sets of police officers at my home (threatened with arrest again) if I did not hand my son over when my son clearly stated he did not want to go to Mark Holgate's home – during lock down with new goverment Gazette regulations in place. I am now uneasy every time my doorbell rings.

vii) Removal of my son by police officers even though my son did not want to go with his father – during lock down with new goverment Gazette regulations in place..

viii) Ignored by Fish Hoek SAPS officials when I asked for assistance with domestic violence / emotional and psycholgical abuse.

I believe that Mark Holgate has lied to all police officers involved saying that I am mentally unwell and that my life-partner is a child molester to encourage

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them to assist him – as well as using his family contacts. Mark Holgate told WO Antonio from Diep River Police Station that I am "schizophrenic and off medication" in front of me. SAPS has simply believed the man and ignored repeated requests for assistance from me, the woman.

7) Mark Timothy Holgate has continued to lie repeatedly and has now done so, in writing, in court Affidavits he has submitted in yet another false allegation – this time of "fraud" to have maintenance reduced. The perjury includes:

i) Mark Holgate's claim of Section (6) of the applicant's Purpose of Application, is that the basis of the application is fraudulent conduct stating that this only came to his knowledge on 5 March 2020, and is accordingly within the prescribed time period to begin this motion, is untrue. Mark began to falsely accuse me of fraud in June 2019. (Affidavit -1 Para:6)

ii) Mark Holgate did not have to care for Jed at the time of court date and time. Jed was at school at the time of the court appearance. (Affidavit -1 Para:23)

iii) Mark Holgate did not adhere to the consent paper. He reduced maintenance within a few months of the divorce and told me that if I went to court he would get it reduced to as little as possible. Mark Holgate also broke every other parenting agreement in the consent paper and refused to mediate for ongoing 4 years (mediation if there was a disagreement was also

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an agreement in the consent paper that Mark Holgate broke as well) (Affidavit -1 Para:25)

iv) I did not suggest it would be more practical to pay for Jed's medical aid. Jed was on Mark Holgate's medical aid. Mark Holgate was using drugs and alcohol frequently and allowed Jed's medical cover to lapse. I put Jed onto my Hospital plan to make sure that he was covered. (Affidavit -1 Para:26)

v) In July 2017 I approached maintenance court and the Prosecutor began a criminal case against Mark Holgate. He then agreed to pay back what was owing. I did not withdraw the complaint. The Public Prosecutor did. (Affidavit -1 Para:28)

vi) I was not, and never have, tried to prevent contact between Mark Holgate and Jed. Mark Timothy Holgate was in contravention of the agreed on parenting plan since 2017 and threatened me when I told him I would fetch Jed on my day, saying, "come and see what happens.". (Affidavit -1 Para:29)

vii**) Jed's play therapist DID NOT make the false allegations of child molestation. Mark Timothy Holgate did.** (Affidavit -1 Para:35)

viii) Mark Timothy Holgate did not start the Children's Court Application. I did as my son and I needed help. Mark Holgate then quickly went and opened a second, unnecessary, application to try to cover his actions. (Affidavit -1 Para:35-36)

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ix) I submitted in my application to maintenance court and shared verbally in court that the consent paper and the divorce order were different and we did not know how this had happened. Mark Timothy Holgate did not provide this information to the court. I did. (Affidavit -1 Para:38)

x) Mark reverted to using the consent paper agreement regarding maintenance immediately after the court appearance and after being told by the Prosecutor of Court 6 to adhere to the legal agreement and refused to mediate. Mark Holgate knew what the, now third, court appearance was about. (Affidavit -1 Para:40)

xi) Mark Timothy Holgate did not "become aware" that fraud was committed on receipt of transcripts in March 2020. Mark Holgate began to falsely accuse me of fraud in October 2019. (Affidavit -1 Para:46)

xii) Mark Holgate saw Cattow, Neethling and WIDD in 2019 for a consultation. (Affidavit -1 Para:50)

xiii) I DID NOT intentionally mislead the court and Mark Holgate's attorney has openly admitted that this is obvious in writing to me – as was evident in 2 019 when I openly told the Prosecutor of Court 6 that there had been an administrative error when the divorce was filed. Mark was at the court appearance and can make no claim in his affidavit that I intentionally misled the court. (Affidavit -1 Para:56)

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8) Mark Holgate then sent a Responding Affidavit in response to my Responding Affidavit with the additional perjury therein:

i) Mark Holgate denies that the contents of my Affidavits are true and / or correct. The contents of my Affidavit are entirely true and correct to the best of my knowledge. I do not lie. Mark has accuse me of lying and / or being mentally ill to discredit me and to hide his actions on an ongoing basis. (Affidavit -2 Para:2)

ii) Mark Timothy Holgate **did (and has)** seek to vary the divorce order in respect of parental rights and responsibilities and care and contact of Jed. This was included in his application in Civil Court. All Affidavits and the full Case History have been provided to the office of the Family Advocate at my request as should Civil Procedure that contains parental rights and responsibilities for minor children. (Affidavit -2 Para:5)

iii) All facts in my Affidavits are true and correct to the best of my knowledge. Mark Holgate continues to accuse me of lying to discredit me and hide his abuse. (Affidavit -2 Para:8)

iv) Mark Timothy Holgate is not suffering "financial prejudice." He is the CEO of a PTY Ltd, drives a BMW and is a dual income household. Mark Holgate's removal of my partner from my life, turning my family into a single parent, single income household and his defamation of my character publicly to discredit me has resulted in severe mental, emotional and financial stress for me, my child and my life-partner. (Affidavit -2 Para:11)

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v) I would request proof of transcripts only being provided on 5 March 2002 and the "persistence" of Mark Holgate in acquiring these due to the nature of his ongoing dishonesty to manipulate the DSD. (Affidavit -2 Para:17)

vi) Mark Holgate **did** tell Magistrate Le Pann that we were working in accordance with the legal divorce order and not the consent paper in the Children's Court appearance. His claim that he did not in his second affidavit is another outright lie. The legal divorce order contains a clause that I can not leave the Western Cape with Jed that Mark wanted added to the current agreement. (Affidavit -2 Para:21)

vii) Mark did not move Jed to his medical aid **after** the court appearance. Mark quickly added Jed to a medical aid scheme before the court appearance and showed the medical aid card as proof of having done so in the court appearance to the Prosecutor. (Affidavit -2 Para:22)

viii) I did not have "anxiety and depression' before I met Mark Timothy Holgate and my mental and physical health are directly related to the ongoing emotional and psychological abuse and are relevant. (Affidavit -2 Para:23)

ix) The fact that I followed the consent paper for 4 years until Mark Holgate made a false allegation of child molestation against my life-partner is reasonable grounds to show that I believed that the consent paper had been

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filed as the divorce agreement. In addition – the fact that **I made this clear**, myself, in front of Mark Holgate during the court appearance for maintenance further confirms this. (Affidavit -2 Para:34)

x) I put Jed on my medical aid as Mark Holgate was using drugs regularly and allowed Jed's medical aid to lapse. We did not discuss this. I simply put Jed on to mine as I did not trust Mark to keep Jed covered. I only found out that Jed had no medical cover when I asked Mark Holgate to make sure Jed was still covered after the divorce when he began to underpay maintenance regularly. (Affidavit -2 Para:35)

xi) This is untrue. The Public Prosecutor began a criminal case as Mark Holgate did not respond to emails from her department. The only way that Mark Holgate could avoid appearing in criminal court was to settle. (Affidavit -2 Para:36)

xii) Mark Holgate did reduce maintenance shortly after the divorce settlement and threatened me with financial abuse if I took action. (Affidavit -2 Para:37)

xiii) Mark Holgate is further lying. Mark Holgate broke every parenting agreement in both the consent paper and legal divorce order repeatedly for 4 years and refused to mediate which is an agreement in both papers. (Affidavit -2 Para:38)

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xiv) **Mark Timothy Holgate made the false allegation of child molestation against my life-partner – not the play therpist, Jodi Lord.** (Affidavit -2 Para:41)

xv) I told Mark Timothy Holgate that I had approached Children's Court for a low contact parenting plan and this is when Mark Holgate then went and opened another, unnecessary application. (Affidavit -2 Para:41)

xvi) Mark Holgate's application to Civil Court does contain care and contact as has, as such, been sent to the offices of the Family Advocate at my request by his acting attorney. (Affidavit -2 Para:44)

xvii) Mark Holgate's application to Civil Court does contain care and contact as has, as such, been sent to the offices of the Family Advocate at my request by his acting attorney. (Affidavit -2 Para:50)

xviii) Mark Timothy Holgate has made false allegations about me and my family ranging from child abuse, to mental illness, to lying and now to fraud. He has repeatedly lied to relevant officials to coerce and manipulate them into doing his will. Mark Holgate's application to Civil Court does contain care and contact as has, as such, been sent to the offices of the Family Advocate at my request by his acting attorney. In addition – two private professionals have admitted in writing to being called by Mark Holgate's attorney and "given some background" before they were hired for the case. (Affidavit -2 Para:52)

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ixx) I did not "concede". I told the court as is written into the written application BEFORE the court date. (Affidavit -2 Para:56)

xx) I have been honest and forthright and Mark Holgate knows this full well. (Affidavit - 2 Para:62)

9) Due to government officials being given false information by Mark Holgate and not adhering to the law and correct protocol due to incorrect information provided to them, Mark Holgate has been allowed to continue lying to officials in SAPS, Children's Court, in Civil Court and to BADISA officials.

10) I have approached the Clerk of Domestic Violence three times. The first time I was told it is too difficult to prove and sent home. The second time I could not wait for an extended period of time due to being high risk for COVID and the third time a Clerk (seeing my physical appearance) handed me some forms. I have not had the time, health or resources to fill them out and deliver them in person, yet.

11) I have been ignored, I have been called "crazy," I have been accused of "making false allegations" by officials when trying to share relevant evidence and when requesting assistance at SAPS, the FCS, BADISA , and the DSD (I have a case and have had no response to emails for a year and a half) without further investigation of my claims or any solution or resources being offered. The man has simply been believed without further investigation being done despite the fact that Mark Holgate has lied repeatedly and I have offered available proof of such to relevant officials.

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12) Mark Holgate has now committed perjury on official Affidavits and I am opening a case to stop the ongoing lying and harassment.

13) I did not have legal representation for the Civil Court appearance and am now approaching SAPS to investigate the perjury committed by Mark Holgate in his Affidavits to Civil Court.

ND Dreyer

Nicole Dreyer (ID: 710825 0046 08 7)

Ek sertifiseer dat bostaande verklaring deur my afgeneem is en dat die verklaarder erken dat hy/sy vertroud is met die inhoud van hierdie verklaring en dit begryp. Hierdie verklaring is voor my beëdig/bevestig en verklaarder se handtekening/merk/duimafdruk is in my teenwoordigheid daarop aangebring.

I certify that the above statement was taken by me and that the deponent has acknowledged that he/she knows and understands the contents of this statement. This statement was sworn to/affirmed before me and deponent's signature/mark/thumbprint was placed thereon in my presence.

te / at ... op / on ... 2020 om. / at ... h.

D. SAAIMAN
0635573-9

(HANDTEKENING) KOMMISSARIS VAN EDE
(SIGNATURE) COMMISSIONER OF OATHS

VOLLE VOORNAME EN VAN IN DRUKSKRIF
FULL FIRST NAMES AND SURNAME IN BLOCK LETTERS

SAPS Mark Road

BESIGHEIDSADRES (STRAAT ADRES)
BUSINESS ADDRESS (STREET ADDRESS)

Dieprivier

RANG
RANK

SA POLISIE
SA POLICE

SUID-AFRIKAANSE POLISIEDIENS
DIST. 3
STASIEBEVELVOERDER
05 NOV 2020
STATION COMMANDER
DIEPRIVIER, K.P./C.P.
SOUTH AFRICAN POLICE SERVICE

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